

**11-R-0083**

**A RESOLUTION BY**

**COUNCILMEMBER MICHAEL JULIAN BOND**

**AS SUBSTITUTED BY CITY UTILITIES COMMITTEE**

**AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AMENDMENT AGREEMENT NUMBER 5 WITH CP RICHARDS CONSTRUCTION, INC., FOR FC-4943A, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED ONE MILLION FIFTY TWO THOUSAND EIGHTY DOLLARS (\$1,052,080.00) WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") did solicit Bids for Contract No. FC- 4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters ("Contractors"); and

**WHEREAS**, the Atlanta City Council adopted Resolution 09-R-1546 on September 21, 2009 and the Mayor approved the same on September 25, 2009, which authorized the Agreement for FC-4943A with CP Richards Construction, Inc.; and

**WHEREAS**, the base term of the Contract is for a period of Two (2) years, with Two (2) One (1) year renewal options to be exercised at the sole discretion of the City, effective October 2, 2009 through October 1, 2011; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 1 with CP Richards Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 09-R-1929 adopted by the City Council on November 16, 2009 and approved by the Mayor on November 24, 2009 in an amount not to exceed Seven Hundred Forty Eight Thousand Six Hundred Eighty Nine Dollars and Seventy Four Cents (**\$748,689.74**); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 2 with CP Richards Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1268 adopted by the City Council on July 19, 2010 and approved by the Mayor on July 27, 2010 in an amount not to exceed Four Hundred Nine Thousand Four Hundred Thirty Nine Dollars and Eighty Two Cents (**\$409,439.82**); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 3 with CP Richards Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1824 adopted by the City Council on

November 1, 2010 and approved by the Mayor on November 10, 2010 in an amount not to exceed Two Hundred Five Thousand One Hundred Ninety Dollars and Ninety Nine Cents **(\$205,190.99)**; and .

**WHEREAS**, the Department of Watershed Management entered into Amendment Agreement Number 4 for Safety Rectification for RM Clayton WRC with CP Richards Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-2120 adopted by the City Council on December 6, 2010 and approved by the Mayor on December 15, 2010 in an amount not to exceed Six Hundred Seventy Eight Thousand Three Hundred Sixty Nine Dollars and No Cents **(\$678,369.00)**; and

**WHEREAS**, the Department of Public Works desires to enter into Amendment Agreement Number 5 with CP Richards Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters in an amount not to exceed One Million Fifty Two Thousand Eighty Dollars and No Cents **(\$1,052,080.00)**; and

**WHEREAS**, CP Richards Construction, Inc., has performed the contracted services satisfactorily; and

**WHEREAS**, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Amendment Agreement Number 5, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES** that the Mayor, or his designee, is authorized to execute Amendment Agreement Number 5, Contract No. FC-4943A; Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters with CP Richards Construction, Inc., on behalf of the Department of Public Works in an amount not to One Million Fifty Two Thousand Eighty Dollars and No Cents **(\$1,052,080.00)**.

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is directed to assist the City Attorney in the preparation of the appropriate agreement for execution by the Mayor.

**BE IT FURTHER RESOLVED**, that the Contract will not become binding upon the City, and the City will incur no liability under it until the Agreement has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to CP Richards Construction, Inc.

**BE IT FINALLY RESOLVED**, that all contracted work will be charged to and paid from Fund, 2501 (Intergovernmental Grant Fund), 3109 (1994 G.O. Bond Fund) 130308 (DPW Transportation Design) 130302 (DPW Traffic Engineering) 4270000 (Traffic Engineering) and Account numbers and PTAE0 Funding Source 13110871 1\*\* 25011932 5414002 COA, 13110871 1\*\* 25011932 5414002 COA, 13\*\*\*\*\* 1\*\* 3109\*\*\*\*\* 5414002 COA.

  
A RESOLUTION BY  
COUNCILMEMBER MICHAEL JULIAN BOND

**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AMENDMENT AGREEMENT NUMBER 4 WITH CP RICHARDS CONSTRUCTION, INC., FOR FC-4943A, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED ONE MILLION ONE HUNDRED TWENTY FOUR THOUSAND NINE HUNDRED THIRTY SIX DOLLARS (\$1,124,936.00) WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("City") did solicit Bids for Contract No. FC-4943A, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters ("Contractors"); and

**WHEREAS**, the Atlanta City Council adopted Resolution 09-R-1546 on September 21, 2009 and the Mayor approved the same on September 25, 2009, which authorized the Agreement for FC-4943A with CP Richards Construction, Inc.; and

**WHEREAS**, the base term of the Contract is for a period of Two (2) years, with Two (2) One (1) year renewal options to be exercised at the sole discretion of the City, effective October 2, 2009 through October 1, 2011; and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 1 with CP Richards Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 09-R-1929 adopted by the City Council on November 16, 2009 and approved by the Mayor on November 24, 2009 in an amount not to exceed Seven Hundred Forty Eight Thousand Six Hundred Eighty Nine Dollars and Seventy Four Cents (\$748,689.74); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 2 with CP Richards Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1268 adopted by the City Council on July 19, 2010 and approved by the Mayor on July 27, 2010 in an amount not to exceed Four Hundred Nine Thousand Four Hundred Thirty Nine Dollars and Eighty Two Cents (\$409,439.82); and

**WHEREAS**, the Department of Public Works entered into Amendment Agreement Number 3 with CP Richards Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1824 adopted by the City Council on November 1, 2010 and approved by the Mayor on

November 10, 2010 in an amount not to exceed Two Hundred Five Thousand One Hundred Ninety Dollars and Ninety Nine Cents **(\$205,190.99)**; and

**WHEREAS**, desires to enter into Amendment Agreement Number 4 with CP Richards Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters in an amount not to exceed One Million One Hundred Twenty Four Thousand Nine Hundred Thirty Six Dollars **(\$1,124,936.00)**; and

**WHEREAS**, CP Richards Construction, Inc., has performed the contracted services satisfactorily; and

**WHEREAS**, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Amendment Agreement Number 4, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES** that the Mayor, or his designee, is authorized to execute Amendment Agreement Number 4, Contract No. FC-4943A; Annual Contract to Construct Sidewalks, Driveways, Curbs, and Gutters with CP Richards Construction, Inc., on behalf of the Department of Public Works in an amount not to exceed One Million One Hundred Twenty Four Thousand Nine Hundred Thirty Six Dollars **(\$1,124,936.00)**.

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer is directed to assist the City Attorney in the preparation of the appropriate agreement for execution by the Mayor.

**BE IT FURTHER RESOLVED**, that the Contract will not become binding upon the City, and the City will incur no liability under it until the Agreement has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered to CP Richards Construction, Inc.

**BE IT FINALLY RESOLVED**, that all contracted work will be charged to and paid from Fund, 2501 (Intergovernmental Grant Fund), 130308 (DPW Transportation Design) 130302 (DPW Traffic Engineering) 4270000 (Traffic Engineering) and Account numbers and PTAE0 Funding Source 13110871 1\*\* 250111932 5414002 COA, 13110871 1\*\* 250111932 5414002 COA.